

# S U M M A R Y   A C T I O N   M I N U T E S



## REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

*Tuesday, September 10, 2002, 9:30 A.M.*

BOARD HEARING ROOM, FIRST FLOOR  
10 Civic Center Plaza  
Santa Ana, California

**CYNTHIA P. COAD**  
CHAIR  
Fourth District

**THOMAS W. WILSON**  
VICE CHAIR  
Fifth District

**CHARLES V. SMITH**  
SUPERVISOR  
First District

**JAMES W. SILVA**  
SUPERVISOR  
Second District

**TODD SPITZER**  
SUPERVISOR  
Third District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Michael Schumacher
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Susan Novak, Assistant

INVOCATION: Supervisor Spitzer, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Silva, Second District, led the assembly in the Pledge of Allegiance

### **I. PRESENTATIONS/INTRODUCTIONS**

Chair Coad presented a resolution proclaiming September 2002 as "Alcohol and Drug Prevention, Treatment and Recovery Month"

Chair Coad presented a resolution proclaiming September 14, 2002 as "America's Walk for Diabetes Day"

Chair Coad presented a resolution proclaiming October 2002 as "America's Celebration of Youth Month"

### **II. CONSENT CALENDAR (Items 1-57)**

13254 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 39 WHICH WAS DELETED; ITEM 51 WHICH WAS CONTINUED TO 10/8/02, 9:30 A.M.; ITEMS 54 & 55 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE; AND ITEMS 41 - 43 AND 56 WHICH RECEIVED A NO VOTE FROM SUPERVISOR SILVA**

### **BOARD APPOINTMENTS**

1. **Chair Coad** - Board of Retirement, OCERS - Appoint Lisa W. Silbar, Newport Beach, for term ending 9/9/05

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## **Supervisor Silva:**

2.                   Assessment Appeals Board No. 2 - Reappoint Mary Aileen Matheis, Irvine, for term ending 9/4/05
3.                   Assessment Appeals Board No. 5 - Reappoint James P. Larkin, Huntington Beach, for term ending 9/4/05

## **DEPARTMENT APPOINTMENTS**

4.           **Health Care Agency** - Mental Health Board - Reappoint Xavier M. Espinosa, Orange, for term ending 5/20/05 - All Districts

## **COMMENDATIONS/PROCLAMATIONS**

### **Chair Coad:**

5.                   Adopt resolution commemorating September 11, 2001, by condemning the terrorist attacks and supporting the President and his national security team  
*RESO: 02-272*
6.                   Adopt resolution commending Pamela Hallan-Gibson for her many years of exemplary public service  
*RESO: 02-273*
7.                   Adopt resolution commending and congratulating Mr. Jim Frayne for the dedication, professionalism and hard work he performed on Assembly Bill 1992  
*RESO: 02-274*
8.                   Adopt resolution commending and congratulating Mr. Jim Lites for the dedication, professionalism and hard work he performed on Assembly Bill 1992  
*RESO: 02-275*

### **Supervisor Silva:**

9.                   Adopt resolution declaring September 21, 2002 as Spay/Neuter Commemorative Stamp Day and commending the United States Postal Service, the American Partnership for Pets and the Health Agency's Animal Care Services in raising awareness of our animals' needs  
*RESO: 02-276*
10.                  Adopt resolution recognizing and congratulating Hoag Memorial Hospital Presbyterian in celebrating its 50th Anniversary  
*RESO: 02-277*

## **CHILD SUPPORT SERVICES**

11.           Approve price agreement N1000004719 with Performance Learning Partners for Web based Learning Resource Center for ARS Child Support Computer System, 9/10/02 - 01/31/03 (\$335,860) All Districts

## **COMMUNITY SERVICES AGENCY**

12.           Authorize Office on Aging to solicit public donations for Annual Conference on Aging - All Districts  
*(4/5 vote)*

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## **HEALTH CARE AGENCY**

13. Approve agreement with The Gay and Lesbian Community Services Center for communicable disease prevention services, 7/1/02 - 6/30/03 (\$55,000) - All Districts

## **JOHN WAYNE AIRPORT**

14. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050(c)(1) for installation of explosion detection systems; set review to determine continuing need for emergency action for 9/24/02, 9:30 A.M. and every 14 days thereafter - District 2 (4/5 vote) (Continued from 8/20/02, Item S29C, 8/27/02, Item S57A)
15. Approve agreement with Kishimoto Architects for engineering services to refurbish ten restrooms and construct two new restrooms, Terminal Building (\$210,000) - District 2

## **ORANGE COUNTY PUBLIC LIBRARY**

16. Authorize submission of grant application to and acceptance of grant award from California Council for the Humanities, California Stories: Reading the Grapes of Wrath Program, FY 2002-03 (\$4,000) - All Districts

## **PUBLIC FACILITIES AND RESOURCES DEPARTMENT**

17. Approve plans and specifications and set bid opening for 10/30/02, 2:00 p.m., for ADA compliance remodeling/modifications, Hall of Finance & Clerk-Recorder - District 1
18. Receive bids and award contract to ThyssenKrupp Elevator Corporation for modernization of elevators nos. 9, 12, and 13 and replacement of elevator motor field coils for elevators nos. 1, 2, 3 and 4, Central Justice Center (\$229,999) - District 1
19. Receive and file Traffic Committee Reports dated 7/18/02; approve recommendations and adopt necessary resolutions - District 5  
*RESO: 02-278 - 02-280*
20. Authorize release of security for street improvements, street lights, landscaping and monumentation, Tract 15467, Greystone Homes, Inc., Newport Beach - District 5
21. Receive bids and award contract to Herk Edwards, Inc. for removal and replacement of fixed audience seating, North and West Justice Centers (\$183,431) - Districts 1 & 4
22. Receive bids and award contract to KDC Inc. dba Dynalectric for construction of traffic signal and highway lighting systems, North Tustin area (\$386,098) - District 3
23. Approve agreement with Engineered Automation Systems, Incorporated for design of upgrade to electrical distribution system, Manchester Office Building, Orange (\$105,000) - District 3
24. Adopt resolution certifying completion of street improvements and street lights; authorizing release of securities; and accepting public street improvements, Parcel Map 2000-248, Diane Finkbeiner, North Tustin area - District 3  
*RESO: 02-281*
25. Authorize release of security for street improvements, street lights, sewer and water systems and monumentation, Tract 15466, Pulte Home Construction, Rancho Santa Margarita - District 5  
  
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26. Approve Minimum Design and Construction Requirements for Docking Facilities - Sunset Channel

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Report; direct incorporation of requirements as an addendum to encroachment permit process for private and commercial docks, Sunset Beach area - District 2

27. Authorize release of security for street improvements, street lights, sewer and water systems, storm drain, landscaping and monumentation, Tract 13340, Lewis Homes Enterprises, Rancho Santa Margarita - District 5
28. Approve Dairy Fork Vegetated Treatment System Conceptual Design; adopt Mitigated Negative Declaration IP01-130; and make California Environmental Quality Act findings, Aliso Creek - District 5
29. Adopt resolution certifying completion of street and street light improvements; authorizing release of securities; and accepting public street improvements and street lights, Tract 15885, Centex Homes, Ladera Ranch area - District 5  
*RESO: 02-282*
30. Approve amended scenic preservation easements with DMB Ladera, LLC for scenic preservation purposes, Ladera Ranch Planned Community; and make California Environmental Quality Act and other findings - District 5
31. Approve lease with Vintage Marina Partners for commercial space, Dana Point Harbor; and make California Environmental Quality Act Findings - District 5
32. Select UCI Extension Program for project management training/certification; and authorize negotiation of agreement for Board approval - All Districts
33. Approve plans and specifications and set bid opening for 10/9/02, 2:00 p.m., for Crescent Basin recreational improvements, and approve Negative Declaration No. IP 02-112 and make California Environmental Quality Act finding - District 4
34. Select Gannett Fleming, Inc. as primary and DMJM+Harris as alternate firms for management study; and authorize negotiation of agreement for Board approval - All Districts
35. **Acting as the Board of Supervisors and Orange County Flood Control District** - Approve agreements D02-090 and D02-091 with Chambers Group for on-call professional environmental and resource permit services (\$200,000 each); and authorize Director or designee to extend agreements under certain conditions - All Districts

## **SOCIAL SERVICES AGENCY**

36. Approve agreement WVC0801 with Children's Home Society of California for child care resource and referral services for CalWORKs Welfare-To-Work participants, 9/1/02 - 8/31/03 (\$277,712) - All Districts

## **PUBLIC PROTECTION**

37. **Probation** - Approve price agreement N1000004157 with CompUSA for computer training classes, 9/10/02 - 11/30/02 (\$20,000), renewable for four additional years (\$50,000 per year) - All Districts

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## **Sheriff-Coroner:**

38. Approve amended price agreement N4000000553 with Southwest Mortuary Services for on call body transport services, extending terms to 11/30/02 - All Districts
39. Authorize department to utilize volunteers and reimburse their expenses for "Coroner Update 2002" conference to be held 9/16-19, 02 - All Districts
- 13254 **DELETED**

## **GENERAL ADMINISTRATION**

40. **Auditor-Controller** - Authorize relief of accountability to Michael Carona, Sheriff-Coroner and reimbursement to Sheriff-Coroner Department for cash loss (\$1,900) - All Districts

## **Chair Coad:**

41. Approve Community Social Program Grant funds to Boys and Girls Club of La Habra; approve budget adjustments; and make appropriate findings, 9/10/02 - 2/28/03 (\$5,000)
- 13254 **APPROVED AS RECOMMENDED**  
N
42. Approve Community Social Program Grant funds to Anaheim Independencia Community Center; approve budget adjustments; and make appropriate findings, 9/10/02 - 2/28/03 (\$5,000)
- 13254 **APPROVED AS RECOMMENDED**  
N
43. Approve Community Social Program Grant funds to Fullerton for operation clean-up; approve budget adjustments; and make appropriate findings, 9/10/02 - 2/28/03 (\$5,000)
- 13254 **APPROVED AS RECOMMENDED**  
N

## **Clerk of the Board:**

44. Approve price agreement N1000004730 with SouthTech Systems, Inc. for software maintenance and upgrades of the Legislative Action Storage and Retrieval (LASAR) and Comprehensive Agenda Management Solution (CAMS) systems, 9/1/02 - 8/31/03 (\$42,000); renewable for two additional years - All Districts (Continued from 8/27/02, Item 31)
45. Approve proposed amendments to the Conflict of Interest Code for the Public Defender - All Districts

## **County Executive Office:**

46. Approve cancellation of 9/24/02 and 12/17/02, 3:00 p.m., Local Redevelopment Authority quarterly meetings - All Districts
47. Approve renewal price agreement N3000003075 with Mercer Human Resources Consulting for professional services for Employee and Retiree Medical Insurance and other programs, 9/11/02 - 9/10/03 (\$220,000) - All Districts
48. Approve pre-annexation agreements with Costa Mesa and Newport Beach - District 2

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49. Approve proposed responses to FY 2001-02 Grand Jury Report entitled "Election Time & Telephone" - All Districts
50. Approve proposed responses to FY 2001-02 Grand Jury Report Entitled "Planning the County's Business" - All Districts
51. Adopt resolution approving property tax transfer with Emerald Bay Service District and Laguna Beach County Water District - District 5  
13254 **CONTINUED TO 10/8/02, 9:30 A.M.**
52. Approve one-year license with Santa Ana Arts IV, LLC for sixty-four parking spaces for employees of Child Support Services, Santa Ana; and make California Environmental Quality Act findings - District 1
53. Adopt resolution approving continuation of military supplement pay through 3/11/03 unless terminated earlier by Board - All Districts  
*RESO: 02-283*
54. Adopt resolution approving an Early Retirement Incentive Program for two additional years service credit to Supervisory, Administrative and Executive Management job classifications countywide; direct CEO/Human Resources to freeze positions vacated by Early Retirement Incentive Program through FY 2003-04; approve additional incentive severance pay equal to approximately one month's salary for employees participating in Early Retirement Incentive Program; and authorize CEO to develop and implement voluntary severance incentive program for non-retirement eligible employees in Supervisory, Administrative and Executive Management classifications - All Districts  
52134 **CONTINUED TO 10/1/02, 9:30 A.M.**
55. **County Executive Office/Health Care Agency** - Approve United Way of Orange County as the community support program to conduct an annual fund drive - All District  
53124 **APPROVED AS RECOMMENDED**
56. **Supervisor Spitzer** - Approve Community Social Program Grant funds to Mothers Against Drunk Driving; approve budget adjustments; and make appropriate findings, 9/10/02 - 2/28/03 (\$1,000)  
13254 **APPROVED AS RECOMMENDED**  
N
57. **Treasurer-Tax Collector** - Receive and file report on Outside Participants in Treasurer's Pool - All Districts

**END OF CONSENT CALENDAR**

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## III. DISCUSSION ITEMS (Items 58-S66B)

### HEALTH CARE AGENCY

58. Approve price agreement N1000004481 with Intratek Computer, Inc. for computer hardware maintenance and support services, 10/1/02 - 9/30/03 (\$860,000); renewable for six additional months (\$430,000) - All Districts

23154 **APPROVED AS RECOMMENDED**

59. Approve amendment 2 to standard agreement 30 with State of Department of Alcohol and Drug Programs, 7/1/01 - 6/30/02 (\$1,103,759; new total \$23,996,775) - All Districts (4/5 vote)

13254 **APPROVED AS RECOMMENDED**

### INTEGRATED WASTE MANAGEMENT DEPARTMENT

60. Waive irregularities in bid submitted by Sukut Construction, Inc.; receive bids and award contract to Sukut Construction, Inc. for Zone 1- Phase B Construction, Prima Deshecha Landfill (\$14,351,522) - District 5

52134 **APPROVED AS RECOMMENDED**

61. Declare emergency and make appropriate findings pursuant to Public Contract Code Section 22050(c)(1) and award emergency contract to Reyes Construction for recent sudden and unexpected movement in landslide mass and necessary emergency repair to complete work, Frank R. Bowerman landfill and return to the Board for approval; and set review of this action on 9/24/02, 9:30 A.M. and every 14 days thereafter to determine continuing need for emergency action - District 3 (4/5 vote)

35124 **APPROVED AS RECOMMENDED**

### PUBLIC FACILITIES AND RESOURCES DEPARTMENT

62. Approve price agreement N1000004549 with RBF Consulting for assistance with the plan development program element of the Orange County Municipal Stormwater Program, 6/28/02 - 6/27/03 (\$250,000); renewable for two additional years - All Districts

53124 **APPROVED AS RECOMMENDED**

### SOCIAL SERVICES AGENCY

63. Approve renewal agreements with various providers for Family Resource Center services promoting safe and stable families; and authorize Agency to extend agreements under certain conditions - All Districts

14235 **APPROVED AS RECOMMENDED**

64. Approve amended agreement with Orange County Superintendent of Schools for CalWORKs Before and/or After School Enrichment Programs, 8/1/01 - 9/30/03 (\$5,362,096) - All Districts

14235 **APPROVED AS RECOMMENDED**

### PUBLIC PROTECTION

65. **Sheriff-Coroner** - Approve addition of one Sheriff's Community Services Officer position for Dana Point Harbor parking enforcement; and amend master position control - District 5

B.O. **DELETED**

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## GENERAL ADMINISTRATION

66.      **Supervisor Wilson and Supervisor Spitzer** - Status Report on development of a sex offender map to be posted on Orange County website (Continued from 8/13/02, Item 40; 8/27/02, Item 56)
- 35124   **DIRECTED STAFF TO RETURN TO THE BOARD ON 9/24/02 WITH AN AGREEMENT WITH DIGITAL MAP PRODUCTS OF ORANGE COUNTY FOR DEVELOPMENT OF SYSTEM AND THE BOARD URGES THE FULL COOPERATION AND PARTICIPATION OF ALL ORANGE COUNTY CITIES AND LAW ENFORCEMENT AGENCIES**

## JOHN WAYNE AIRPORT

- S66A.   Approve solicitation of proposals for operation of parking facilities and courtesy shuttle bus service; and set 10/16/02, 2:00 p.m., to receive proposals; and make California Environmental Quality Act and other findings - District 2
- 25134   **APPROVED AS RECOMMENDED**

## GENERAL ADMINISTRATION

- S66B.   **Chair Coad - Acting as the Orange County Flood Control District** - Approve Memorandum of Understanding with Tiger Woods Foundation, Inc.; and authorize staff to negotiate formal lease agreement(s) and return to the Board for approval
- 41235   **APPROVED AS RECOMMENDED WITH AMENDMENTS TO MEMORANDUM OF UNDERSTANDING SETTING THE TERMS OF THE LEASE FOR FIFTY YEARS AT ONE DOLLAR A YEAR AND DESIGNATING \$1 MILLION OF FOURTH DISTRICT'S PROPOSITION 12 FUNDING TO THE PROJECT**

## IV. PUBLIC HEARINGS (Items 67-69)

### PUBLIC FACILITIES AND RESOURCES DEPARTMENT

67.      Public Hearing to consider adopting resolutions establishing water quality ordinance administrative hearing fee; and make California Environmental Quality Act findings - All Districts (Continued from 8/27/02, Item 30)
- B.O.      **CLOSED PUBLIC HEARING**
- 23154   **APPROVED AS RECOMMENDED**  
*RESO: 02-284 - 02-285*

## GENERAL ADMINISTRATION

### **County Executive Office:**

68.      **Acting as the Board of Supervisors** - Public Hearing to consider adopting resolution pertaining to the formation of Community Facilities District No. 2002-1 (Ladera Ranch), proposed rate and method of apportionment of special tax and proposed issuance of bonds; ratify preparation and approval of Facilities (Engineer's) Report; authorize levy of a special tax and calling of an election; and make California Environmental Quality Act and other findings; **Acting as the Community Facilities District No. 2002-1 (Ladera Ranch)** - Adopt resolution determining the necessity to incur bonded indebtedness (\$75,000,000) and calling of an election - District 5
- B.O.      **CLOSED PUBLIC HEARING**
- B.O.      **CONTINUED RECOMMENDED ACTION 5 THROUGH 9 TO 10/1/02, 9:30 A.M.**
69.      MINUTES - BOARD OF SUPERVISORS' MEETING, TUESDAY, SEPTEMBER 10, 2002 - PAGE 8  
Public Hearing to consider use of Local Law Enforcement Block Grant funds, consider



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recommendations of Local Law Enforcement Block Grant Advisory Board; and make funding use determinations - All Districts

B.O. **CLOSED PUBLIC HEARING**

12354 **APPROVED AS RECOMMENDED**

## **V. CLOSED SESSION (None)**

## **VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT**

### **PUBLIC COMMENTS:**

Charles Griffin - Oral Re: Measure B

Del Catron - Oral Re: Loss of land at Midway City Park for use by Probation.

Thelma Franks - Oral Re: HCD Housing program

Barbara Atkinson - Oral Re: Public Administrator and County Counsel handling of property

Larry Laven - Oral Re: District Attorney Department

### **BOARD COMMENTS:**

None

### **ADJOURNED: 12:05 P.M.**

\*\*\* KEY \*\*\*

#### ***Left Margin Notes***

1. ✓ Supervisor Smith
2. ✓ Supervisor Silva
3. ✓ Supervisor Spitzer
4. ✓ Chair Coad
5. ✓ Supervisor Wilson

- A. ✓ Abstained  
X. ✓ Excused  
N. ✓ No  
BO ✓ Board Order

#### ***Right Margin Notes***

- O. ✓ Ordinance  
R. ✓ Resolution

*Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)*

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CYNTHIA P. COAD, CHAIR  
Orange County Board of Supervisors

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SUSAN NOVAK, ASSISTANT  
Orange County Clerk of the Board